

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Nmt/WBC

Mailed: April 4, 2016

Opposition No. 91221476

The Darkcoin Foundation, Inc.

v.

Karmic Labs, Inc.

By the Trademark Trial and Appeal Board:

On February 10, 2016, Applicant filed a proposed amendment to its application Serial No. 86377359, with Opposer's consent. Opposer filed a withdrawal of the opposition (filed March 15, 2016).

By the proposed amendment Applicant seeks to amend the identification of goods and recitation of services as follows.

Class 009

from

Magnetically encoded debit cards; downloadable software in the nature of a mobile application for conducting financial transactions; downloadable software to conduct electronic funds transfers and payment processing; downloadable software that provides alerts regarding balances, spending, loyalty rewards and offers, and companion card requests for money transfers; downloadable software that tracks debit card and other financial transactions

to

Magnetically encoded cards for employers to track and set a maximum for employees financial transactions; downloadable software in the nature of a mobile application for conducting financial transactions, not including virtual currency transactions; downloadable software to conduct electronic funds transfers and payment processing, not relating to virtual currency transactions; downloadable software that provides alerts regarding balances, spending, loyalty rewards and offers, and companion card requests for money transfers, not relating to virtual currency transactions; downloadable software that tracks debit card and other financial transactions.

Class 036

from

Financial services, namely, electronic bill payment, card-to-card transfers of funds, electronic remote check deposit services, and bank account management services; commercial financial management budgeting services; electronic funds transfer services; debit card services; online financial services, namely, banking services accessible by means of a downloadable mobile application

to

Financial services, namely, electronic bill payment, card-to-card transfers of funds, electronic remote check deposit services, and bank account management services all related to credit and debit cards and not relating to virtual currency transactions; commercial financial management budgeting services; electronic funds transfer services all related to credit and debit cards and not relating to virtual currency transactions; debit card services; online financial services, namely, banking services accessible by means of a downloadable mobile application, not relating to virtual currency transactions.

Class 042

from

Providing temporary use of online non-downloadable software to financial institutions to conduct financial transactions; providing temporary use of online non-downloadable software to financial institutions to track debit card and other financial transactions

to

Providing temporary use of online non-downloadable software to financial institutions to conduct financial transactions related to credit and debit cards and not relating to virtual currency transactions; providing temporary use of online non-downloadable software to financial institutions to track debit card and other financial transactions.

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and because Opposer consents thereto, the amendment is approved and entered. *See* Trademark Rule 2.133(a).

Pursuant to Opposer's withdrawal filed March 15, 2016, the opposition is dismissed in accordance with the agreement between the parties.